

ORDINANCE NO: A09-10

AN ORDINANCE TO AMEND CHAPTER 190 OF THE TOWN OF
BRIDGEVILLE CODE TO INCLUDE PRETREATMENT "BEST MANAGEMENT
PRACTICES"

THE COMMISSIONERS OF BRIDGEVILLE HEREBY ORDAIN:

Amend Chapter 190 throughout, by deleting the [bracketed text] and adding the
underlined text as follows:

ARTICLE II General Provisions

§ 190-14. Definitions and Word Usage

A. Definitions

AUTHORIZED REPRESENTATIVE OF AN INDUSTRIAL USER –

BEST MANAGEMENT PRACTICES (BMPs) – Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in § 190-16A. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage, or leaks, sludge or waste disposal, or drainage from raw materials storage.

BIOCHEMICAL OXYGEN DEMAND (BOD)

ARTICLE VII Reporting Requirements

§ 190-45. Baseline monitoring reports for categorical industries.

B.

- (5) (b)...The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in § 190-54. **In cases where the Permit requires compliance with a Best Management Practice or pollution prevention alternative, the Industrial User shall submit documentation as required by the POTW to determine compliance with the Permit.**

ARTICLE VII Reporting Requirements

§ 190-48. Periodic compliance reports.

- A. Any significant industrial user subject to a pretreatment standard shall, at least quarterly, submit a report indicating the nature and concentration of pollutants in the discharge which are limited by such pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. **In cases where the Pretreatment Permit, or the applicable Pretreatment standard requires compliance with a Best Management Practice (or pollution prevention alternative), the Industrial User shall submit documentation required by the POTW, the Pretreatment Permit, or the applicable Pretreatment Standard necessary to determine the compliance status of**

the Industrial User. All periodic compliance reports must be signed and certified in accordance with § 190-35.

ARTICLE VII Reporting Requirements

§ 190-50. Reports of potential problems.

E. Industrial Users are required to notify the POTW immediately of any changes at its facility affecting the potential for a Slug Discharge.

ARTICLE VII Reporting Requirements

§ 190-58. Recordkeeping.

Industrial users shall retain and make available for inspection and copying all records and information required to be retained under this Part 2 **(including documentation associated with Best Management Practices).**

These records shall remain available for a period of at least three (3) years **(including documentation associated with Best Management Practices).** This period shall be automatically extended for the duration of any litigation concerning compliance with this Part 2 or where the industrial user has been specifically notified of a longer retention period by the Commissioners.

Such records, including documentation associated with Best Management Practices, shall include for all samples:

- A. The date, exact place, method, and time of sampling and the names of the person or persons taking the samples;**
 - B. The dates analyses were performed;**
 - C. Who performed the analyses;**
 - D. The analytical techniques/methods used; and**
 - E. The results of such analyses**
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ARTICLE IX Disposition of Information

§ 190-62 Publication of industrial users in significant noncompliance.

[Remove first paragraph, A., B., & C. in their entirety.]

Replace with:

The town shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdiction served by the POTW the industrial users which, at any time during the previous twelve (12) months, were in significant

noncompliance with applicable pretreatment standards and requirements. For purposes of this provision, a significant industrial user (or any industrial user which violates paragraphs C, D or H of this section) is in "significant noncompliance" if its violation meets one or more of the following criteria:

- A. Chronic violations of wastewater discharge limits, defined here as those in which 66 percent (66%) or more of all of the wastewater measurements taken during a 6 month period exceed (by any magnitude) for the same pollutant parameter, a numeric pretreatment standard or requirement including instantaneous limits.
- B. Technical review criteria (TRC) violations, defined here as those in which 33 percent (33%) or more of all of the wastewater measurements taken for each pollutant parameter during a 6 month period equals or exceeds the product of the numeric pretreatment standard or requirement including instantaneous limits multiplied by the applicable TRC criteria (i.e. TRC=1.4 for TBOD, SBOD, TSS, oils and grease, and 1.2 for all other pollutants except pH).
- C. Any other discharge violation of a pretreatment standard or requirement (daily maximum, long-term average, instantaneous limit, or narrative standard) that the town believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of town personnel or the general public.
- H. Any other violations which may include a violation of Best Management Practices (BMPs) the town determines will adversely affect the operation or implementation of the local pretreatment program.

This ordinance shall become effective upon its adoption by a majority of all members elected to the Commissioners of Bridgeville.

COMMISSIONERS OF BRIDGEVILLE

By: 
President

Attest: 
Secretary

Date of First Reading: October 12, 2009

Date of Second Reading: November 9, 2009

Adopted: November 9, 2009